

Art Unit: 1632

DETAILED ACTION

The amendment filed March 21, 2011 has been entered. Claims 39, 49, and 50 have been amended and Claims 51 and 75-78 have been cancelled.

Claims 39, 43, 49, and 50 remain pending in the instant application.

Examiner's Amendment

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Elie Gendloff on April 11, 2011.

The application has been amended as follows:

In the Claims:

Claims 49 and 50 are cancelled.

39. A method for developing a therapeutic procedure in a model animal system comprising the steps of:

- a) infecting a *Tupaia belangeri* with hepatitis B virus (HBV);
- b) carrying out a potential therapeutic procedure in said infected *Tupaia belangeri*; and
- c) evaluating the effect of said potential therapeutic procedure on a disease manifestation caused by said ~~human viral pathogen~~ HBV in said infected animal, wherein said disease manifestation is hepatic histological evidence of fibrosis, bile duct proliferation, lymphocytes, ground glass hepatocytes or a combination thereof.

Reasons for Allowance

The following is an examiner's statement of reasons for allowance:

The rejection of Claims 39, 43, and 75-78 under 35 U.S.C. 112, first paragraph, for failing to comply with the written description requirement, is **withdrawn** in view of the amendments to Claim 39 and the cancellation of Claims 75-78.

The rejection of Claims 39, 43, and 75-78 under 35 U.S.C. 112, first paragraph, for lack of enablement over the full scope, is **withdrawn** in view of the amendments to Claim 39 and the cancellation of Claims 75-78.

The rejection of Claims 39, 49, 51, and 75-78 under 35 U.S.C. 103(a), as being unpatentable over Walter et al. (1996, Hepatology 24: 1-5), is withdrawn in view of the amendments to Claim 39 and the cancellation of Claims 49, 51, and 75-78.

The rejection of Claims 39, 49, 51, and 75-78 under 35 U.S.C. 103(a), as being unpatentable over Yan et al. (1996, J. Cancer Res. Clin. Oncol. 122: 283-288), is withdrawn in view of the amendments to Claim 39 and the cancellation of Claims 49, 51, and 75-78.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

Upon entry of the foregoing amendment, Claims 39 and 43 are allowable.

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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Anne-Marie Falk whose telephone number is (571) 272-0728. The examiner can normally be reached Monday through Friday from 9:00 AM to 5:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Peter Paras, can be reached on (571) 272-4517. The central official fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to (571) 272-0547.

/Anne-Marie Falk/

Primary Examiner, Art Unit 1632